

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SOUNDEXCHANGE, INC,

Plaintiff,

- against -

SIRIUS XM RADIO INC,
Defendant.

ORDER

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24 Civ. 5491 (NRB)

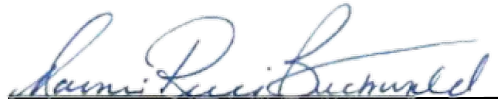
NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Having reviewed the parties' pre-motion letters, dated August 19, 2024 and August 22, 2024, the Court has determined that defendant may bring its motion without the necessity of a pre-motion conference.

Plaintiff is reminded that if, consistent with Rule 11, it can assert additional allegations to cure any alleged deficiencies raised by defendant's letter, it would be in the best interest of both the parties and the Court for plaintiff to assert them now, before briefing on the proposed motions. Plaintiff is thus granted leave to file an amended complaint within two weeks of this Order. At that time, if no amended complaint has been filed, the parties should confer on a briefing schedule agreeable to both sides, in which no more than sixty days elapse from the filing of defendant's motion to the filing of defendant's reply.

SO ORDERED.

Dated: New York, New York
September 12, 2024



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE